

Case 1:18-cr-00072-MAC Document 2 \*SEALED\* (Court of Appeals) Filed 10/12/18 Page 1 of 4 PageID #: 17

United States Courts  
Southern District of Texas  
FILED

UNITED STATES DISTRICT COURT  
for the  
SOUTHERN DISTRICT OF TEXAS

January 16, 2020

David J. Bradley, Clerk of Court

Petition for Warrant or Summons for Offender Under Supervision

4:20-MJ-0075

Name of Offender: Joseph Lee Manuel

Case Number: 1:18cr72

Name of Sentencing Judicial Officer: U.S. District Judge John D. Rainey

Name of Reassigned Judicial Officer: U.S. District Judge Marcia A. Crone

Date of Original Sentence: November 16, 2015

Original Offense: Transportation of an Undocumented Alien

Original Sentence: 15 months imprisonment followed by a 2 year term of supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: July 7, 2017

Expiration Date: July 6, 2019

Assistant U.S. Attorney: Justin R. Martin

Defense Attorney: Christina Marie Woehr

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PETITIONING THE COURT

To issue a WARRANT previously ordered in Southern District of Texas Case No. 2:15CR00142-001, due to Transfer of Jurisdiction and new case number assignment.

The probation officer believes that the offender has violated the following condition of supervision:

CONDITION

NATURE OF NONCOMPLIANCE

**Allegation 1**

Mandatory

The defendant shall not commit another federal, state, or local crime.

On May 15, 2018, the Jefferson County, Texas Sheriff's Department conducted a traffic stop on Mr. Manuel, who had an active warrant for failure to appear in Criminal District Court on April 30, 2018. At that time, he was arrested for the warrant and, although an arrest report is not yet available, initial contact with law enforcement officials learned that Mr. Manuel was also found in possession of a firearm. Therefore, the arresting agency will soon be charging him with the felony offense of Unlawful Possession of Firearm by Felon, in violation of

**Allegation 2**

Mandatory

The defendant shall not possess a firearm, ammunition, or destructive device.

Case 18-cr-00072-MAC-H Document 2 \*SEALED\* (Court of) Filed 10/12/18 Page 2 of 4 PageID #: 18  
Joseph Lee Manuel  
2:15CR00042-1

Texas Penal Code § 46.04. The case remains pending at this time.

**Allegation 3**

**Mandatory**

The defendant shall not commit another federal, state, or local crime.

Prior to beginning the instant term of supervised release, on May 22, 2017, Mr. Manuel was arrested by Lamar, Texas University Police for the felony offense of Evading Arrest/Detention with a Motor Vehicle [Cause No.17-27872], and misdemeanor Possession of Marijuana [Cause No.316570]. Though the arrest occurred prior to this supervision, on April 30, 2018 he committed new criminal conduct by failing to appear for his arraignment in Jefferson County Criminal District Court. As a result, a warrant was issued, his bond was increased to \$100,000, and as shown above, he was ultimately arrested for the new warrant on May 15, 2018.

**Allegation 4**

**Mandatory**

The defendant shall not commit another federal, state, or local crime.

On or about July 19, 2017, Beaumont, Texas Police conducted a traffic stop on Mr. Manuel. Officers detected the odor of marijuana inside the car and he received citations for speeding, 53 mph in 35 mph zone, and Failure to Maintain Financial Responsibility [Court Case Nos. PD064830-01 and 02]. Mr. Manuel was found to be traveling with two passengers: Brian Deshun Harrell [DOB:03/07/95] and Jarvis Lejae Blue [DOB:03/29/93]. Officers located marijuana residue, a weight scale, and sandwich baggies in a backpack near where Mr. Blue had been seated. Mr. Blue was on state parole at the time and a baggie of marijuana was also found in his underwear. Mr. Manuel was released at the scene, but did not have permission to associate with this convicted felon involved in criminal activity. Furthermore, on April 10, 2018, a warrant was issued by the Beaumont Municipal Court after Mr. Manuel failed to properly address these traffic citations.

**Allegation 5**

**Standard**

9: The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Case 4:18-cr-00072-MAC Document 2 \*SEALED\* (Court ) Filed 10/12/18 Page 3 of 4 PageID #: 19  
Joseph Lee Manuel  
2:15CR00042-1

**Allegation 6**

**Standard**

2: The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Mr. Manuel failed to submit a truthful and complete written report as directed for the months of January, February, March, April, and May, 2018.

**Allegation 7**

**Standard**

6: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

On April 13, 2018, after previous attempts to contact Mr. Manuel at his last reported address, 1280 Saxe Street, Apt. 120, Beaumont, Texas (Cardinal Oaks Apartments), contact was established with the leasing office. Apartment personnel stated Mr. Manuel did not reside at the address and he has yet to notify the probation office of any change in residence.

**Allegation 8**

**Standard**

10: The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer.

As indicated above, Mr. Manuel has failed to provide monthly supervision reports as directed, and has failed to notify the probation officer of a change in residence. Attempts to contact him through all available collateral contacts have been unsuccessful. Thus, he has failed to permit a probation officer to visit him at home at any time, as directed by the Court.

**Allegation 9**

**Special**

The defendant shall participate in a program, inpatient or outpatient, for the treatment of drug and/or alcohol addiction, dependency or abuse which may include, but not be limited to urine, breath, saliva and skin testing to determine whether the defendant has reverted to the use of drugs and/or alcohol. Further, the defendant shall participate as instructed and as deemed necessary by the probation officer and shall comply with all rules and regulations of the treatment agency until discharged by the Program Director with the approval of the probation officer.

On March 22, 2018, the Program Director of Texas Counseling and Rehabilitation Services (TCRS) unsuccessfully discharged Mr. Manuel from substance abuse treatment and the random drug testing program, due to failure to participate as instructed by the probation officer. TCRS records indicate Mr. Manuel failed to attend numerous counseling sessions, and failed to submit several urine specimens throughout the random drug testing program.

Case 4:18-cr-00072-MAC Document 2 \*SEALED\* (Court ~~court~~) Filed 10/12/18 Page 4 of 4 PageID #: 20  
Joseph Lee Manuel  
2:15CR00042-1

**Allegation 10**

Special

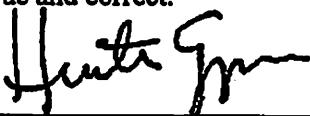
The defendant must pay the total criminal monetary penalties under the schedule of payment on Sheet 6.

Upon sentencing, Mr. Manuel was ordered to pay a \$100 special assessment fee, due immediately. Financial records indicate there is a \$75 remaining balance in this case.

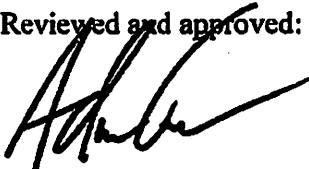
**U.S. Probation Officer Recommendation and Justification:**

The above non-compliance was previously reported to The Honorable John D. Rainey, U.S. District Judge for the Southern District of Texas, as this case originated in the Corpus Christi Division of that district. A warrant was subsequently issued in Case No. 2:15CR00142-001, and jurisdiction was accepted by Your Honor on August 14, 2018. At that time, Mr. Manuel was being held in the Jefferson County Jail on multiple pending state charges while the federal detainer was in place. It has come to the attention of the probation department that a new warrant must be issued with the new Eastern District of Texas case number in order for the U.S. Marshals Service to bring Mr. Manuel before the Court to show cause why his supervision should not be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Hunter Eppes  
U.S. Probation Officer

Reviewed and approved:

  
\_\_\_\_\_  
Adam W. Graves  
Supervising U.S. Probation Officer

October 12, 2018

Case 1:18-cr-00072-MAC Document 3 \*SEALED\* Filed 10/15/18 Page 1 of 1 PageID  
#: 22

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

§  
§  
§  
§  
§

versus

CASE NO. 1:18cr72

Joseph Lee Manuel

§

**Sealed Order on Petition for Warrant or Summons for Offender Under Supervision**

The Court has reviewed the Petition for Warrant or Summons for Offender Under Supervision filed on October 12, 2018, and orders that a warrant be issued for the offender, as previously ordered in Southern District of Texas Case No. 2:15CR00142-001, due to transfer of jurisdiction and new case number assignment, to appear and show cause why his supervision should not be revoked:



Grant  
 See Judge

**Signed this date**

Oct 15, 2018

Marcia A. Crone

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

United States of America

V.  
JOSEPH LEE MANUEL

Case No. 1:18cr72

**4:20-MJ-0075**

*Defendant*

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) - JOSEPH LEE MANUEL

who is accused of an offense or violation based on the following document filed with the court:

Indictment       Superseding Indictment       Information       Superseding Information       Complaint  
 Probation Violation Petition       Supervised Release Violation Petition       Violation Notice       Order of the Court

This offense is briefly described as follows:

Date: 10/16/18

City and state: Beaumont, TX

David A. O'Ffoole

*Issuing officer's signature*

David A. O'Toole, CLERK OF COURT

*Printed name and title*

## Return

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
at (city and state) \_\_\_\_\_.

Date:

*Arresting officer's signature*

*Printed name and title*